

1 **SHAFFY MOEEL**

California State Bar No. 238732

2 **FEDERAL DEFENDERS OF SAN DIEGO, INC.**

225 Broadway, Suite 900

3 San Diego, CA 92101-5008

Telephone: (619) 234-8467

4 Email: Shaffy_Moeel@fd.org

5 Attorneys for Mr. Bernal-Ibarra

6
7
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10 (HONORABLE ROBERT T. BENITEZ)

11 UNITED STATES OF AMERICA,)

CASE NO. 08CR1323-BEN

12 Plaintiff,)

13 v.)

14 **ROGELIO BERNAL-IBARRA,**)

**REQUEST TO WITHDRAW
DEFENDANT'S SENTENCING
SUMMARY CHART**

15 Defendant.)
16

17 TO: KAREN P. HEWITT, UNITED STATES ATTORNEY;
CAROLINE HAN, ASSISTANT UNITED STATES ATTORNEY; AND
18 SCOTT KIEFER, UNITED STATES PROBATION OFFICER:
19

20 The defendant, Rogelio Bernal-Ibarra, by and through his attorneys, Shaffy Moeel and Federal
21 Defenders of San Diego, Inc., hereby requests that this Court authorize the withdrawal of document number
22 35 from the clerk's record.

23 The sentencing summary chart was inadvertently filed in the incorrect case.

24 Respectfully submitted,
25

26 Dated: August 20, 2008

/s/ Shaffy Moeel

SHAFFY MOEEL

Federal Defenders of San Diego, Inc.

Attorneys for Mr. Bahena-Moreno

Shaffy_Moeel@fd.org
28

CERTIFICATE OF SERVICE

Counsel for Defendant certifies that the foregoing pleading is true and accurate to the best information and belief, and that a copy of the foregoing document has been caused to be delivered this day upon:

Ezekiel E Cortez

lawforjustice@aol.com, barbaraj@cortezjohnson.sdcoxmail.com

Caroline Pineda Han

Caroline.Han@usdoj.gov, efile.dkt.gc1@usdoj.gov, ginger.stacey@usdoj.gov

Scott Kiefer

United States Probation Officer via email

Al Smithson

alsmithson@cox.net

Dated: August 20, 2008

/s/ Shaffy Moeel

SHAFFY MOEEL

Federal Defenders of San Diego, Inc.

225 Broadway, Suite 900

San Diego, CA 92101-5030

(619) 234-8467 (tel)

(619) 687-2666 (fax)

Shaffy_Moeel@fd.org (email)